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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 v.

17 CR 417(AKH)

5 ALI KOURANI,

6 Defendant.

7 -----x

8 New York, N.Y.

9 July 7, 2017

11:15 a.m.

10 Before:

11 HON. ALVIN K. HELLERSTEIN,

12 District Judge

13 APPEARANCES

14 JOON H. KIM

15 Acting United States Attorney for the
Southern District of New York

16 EMIL J. BOVE

Assistant United States Attorney

17 FEDERAL DEFENDERS OF NEW YORK

18 Attorneys for Defendant

19 PEGGY CROSS-GOLDENBERG

SABRINA SHROFF

20 Also present: Special Agent Joseph Castello

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(In open court; case called)

THE COURT: Mr. Bove, what do we have this morning?

MR. BOVE: We're on for arraignment on the indictment that was returned on June 28th and an initial conference.

THE COURT: Let's have the defendant arraigned now.

THE DEPUTY CLERK: Mr. Kourani, please rise.

Are you Ali Kourani?

THE DEFENDANT: Yes, I am.

THE DEPUTY CLERK: These are your attorneys standing next to you?

THE DEFENDANT: Yes, they are.

THE DEPUTY CLERK: Have you seen a copy of the indictment?

THE DEFENDANT: Yes, I have.

THE DEPUTY CLERK: Do you waive a detailed reading of the indictment?

THE DEFENDANT: I do.

THE DEPUTY CLERK: How do you plead?

THE DEFENDANT: Not guilty.

THE COURT: A plea of not guilty will be entered on behalf of Mr. Kourani.

Are you also known as Ali Mohammed Kourani?

THE DEFENDANT: Yes, sir.

THE COURT: And Jacob Lewis?

MS. CROSS-GOLDENBERG: Your Honor, I believe that may

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1 refer to some of the government's potential evidence in the
2 case. So we would rather actually not --

3 THE COURT: I will not press it.

4 MS. SHROFF: -- confirm those.

5 THE COURT: I am just looking at the caption and it
6 says under Mr. Ali Kourani's name also known as Ali Mohammed
7 Kourani and also known as Jason Lewis and also known as Daniel.

8 Are you asking me not to inquire about the also
9 knowns?

10 MS. CROSS-GOLDENBERG: Yes, your Honor. Thank you.

11 THE COURT: You may be seated.

12 What is the case, Mr. Bove?

13 MR. BOVE: Your Honor, I had an opportunity to consult
14 with defense counsel before this morning's conference and we
15 propose a schedule for discovery that would result in the
16 completion of the discovery by August 25th and then a status
17 conference before your Honor on September 7th. To the extent
18 that September 7th date is acceptable to the Court, we would
19 propose to have both a normal session here in the courtroom as
20 well as a session pursuant to SIPA Section 2 to discuss aspects
21 of the classified discovery as well as a plan for motion
22 practice under SIPA as well AS under FISA.

23 THE COURT: Ms. Cross-Goldenberg, is that acceptable
24 to you?

25 MS. CROSS-GOLDENBERG: That is acceptable to us you,

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1 your Honor, with the understanding from the government that
2 they are not going to wait until August 28th to produce
3 discovery, that it will be done --

4 THE COURT: On a rolling basis --

5 MS. SHROFF: -- on a rolling basis.

6 THE COURT: -- and as speedily as possible.

7 MS. SHROFF: Yes. Thank you, your Honor.

8 MR. BOVE: Yes, your Honor, we agree with that. I
9 will note right now that the parties are currently negotiating
10 a protective order to govern the production of unclassified
11 discovery. To the extent we're unable to come to an agreement
12 on that, we may submit something to the Court on that front.
13 We also expect to propose separate protective order relating to
14 classified discovery.

15 THE COURT: I will not be seeing you in the regular
16 course until September 7th. You should know if there are any
17 problems that come up that need my attention, you should ask
18 and I will devote my attention with the exception of the first
19 two weeks in August when I will be away.

20 MR. BOVE: Yes, your Honor. Thank you.

21 THE COURT: Motion to exclude time?

22 MR. BOVE: Yes, Judge. The government asks that time
23 be excluded in the interest of justice until September 7th to
24 allow the government to produce discovery and to allow the
25 defense to review that discovery and contemplate the filing of

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1 pretrial motions.

2 THE COURT: Any opposition?

3 MS. CROSS-GOLDENBERG: No, your Honor.

4 MS. SHROFF: No, your Honor.

5 THE COURT: Without opposition, the motion is granted,
6 time is excluded.

7 Is there any need to discuss exclusion of time before
8 today?

9 MR. BOVE: No, your Honor. Thank you.

10 THE COURT: That concludes our business for today.

11 MR. BOVE: Thank you, Judge.

12 MS. SHROFF: Thank you, your Honor.

13 THE COURT: Thank you.

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